

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Craig H. Barratt et al.

Application No.: 10/760,024

Art Unit.: 2609

Filing Date: 01/15/2004

Examiner: Cheng C. Wu

For: "Apparatus And Method For Transmission Collision Avoidance"

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Date: October 25, 2007

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.
2. **STATUS:** Applicant is other than a small entity.
3. **EXTENSION OF TERM:** The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
4. **FEE FOR CLAIMS:** The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	LARGE ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	4	Minus	47	= 0	x \$50 =	\$0
Indep.	3	Minus	7	= 0	x \$200 =	\$0
First Presentation of Multiple Dependent Claim					+ \$360 =	\$0
					Total Addit. Fee	\$0

No additional fee for claims is required.

5. **FEE DEFICIENCY:** If any additional extension and/or fee is required, please charge Deposit Account No. 50-0574 (Docket No. ATH-0116).

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SIGNATURE OF PRACTITIONER

Jeanette S. Harms
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Craig H. Barratt & William J. McFarland
Assignee: Atheros Communications, Inc.
Title: Apparatus and method for transmission collision avoidance
Serial No.: 10/760,024 File Date: January 15, 2004
Examiner: Cheng C. Wu Art Unit: 2609
Docket No.: ATH-0116

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AMENDMENT IN RESPONSE TO THE FIRST OFFICE ACTION

Initial Comments:

This response addresses the status of Claims 39-67. Claims 39-42, 48-49, 52, 58-59, and 62-63 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,963,549 (Jayaraman). Claims 43 and 45 are rejected under 35 U.S.C. 103(a) as obvious over Jayaraman in view of U.S. Publication 2003/0115369 (Walter). Claims 51, 54, 55, 60, 65, 65, and 67 are rejected under 35 U.S.C. 103(a) as obvious over Jayaraman in view of U.S. Publication 2004/0165562 (Elaoud). Claims 44 and 46 are rejected under 35 U.S.C. 103(a) as obvious over Jayaraman, Walter, and U.S. Patent 5,355,375 (Christensen). Claims 59, 53, and 61 are rejected under 35 U.S.C. 103(a) as obvious over Jayaraman in view of U.S. Patent 7,206,320 (Iwamura) and JP 11261518 (JP518). Claim 61 is rejected under

35 U.S.C. 103(a) as obvious over Jayaraman in view of Walter and Elaoud. Claims 56, 57, and 66 are rejected under 35 U.S.C. 103(a) as obvious over Jayaraman in view of Elaoud, Iwamura, and JP518.

Claim 39-49, 51, 52, 54-56, 58-60, and 62-67 are cancelled, thereby rendering the rejection of those claims moot. Claims 50, 53, 57, and 61 are amended herein.